

FILED

Oct 25, 2021

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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SEALED

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

RANDALL MCKINNEY,

Defendant.

CASE NO. 1:21-mj-00114-BAM

**SEALING APPLICATION; ~~[PROPOSED]~~
SEALING ORDER**

BAM

The United States applies to this Court for an order permitting it to file the complaint, arrest warrant, and related sealing documents in the above-captioned case under seal until further order of the Court. The Ninth Circuit has held that federal district courts have the inherent power to seal documents in appropriate circumstances. *Offices of Lakeside Non-Ferrous Metals, Inc. v. United States*, 679 F.2d 779 (9th Cir. 1982); *State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir. 1982); *United States v. Agosto*, 600 F.2d 1256 (9th Cir. 1979). In this case, the complaint and arrest warrant pertain to an ongoing investigation that is neither public nor fully known to the target of the investigation. Accordingly, there is good cause to seal the complaint, arrest warrant, and related sealing documents because premature disclosure may jeopardize the investigation and cause the target to flee from justice, destroy evidence, or tamper with witnesses.

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Respectfully submitted
PHILLIP A. TALBET
Acting United States Attorney

By

/s/ Joseph Barton

Dated: _____

JOSPEH BARTON
Assistant United States Attorney

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11 IN THE UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA

14 Plaintiff,

15 v.

16 RANDALL MCKINNEY,

17 Defendant.


CASE NO.

[PROPOSED] SEALING ORDER

18 **ORDER**

19 Upon Application of the United States and good cause having been shown, IT IS HEREBY
20 ORDERED that the complaint, arrest warrant, and related sealing documents in the above-captioned
21 case be SEALED until further order of this Court

22
23
24 Dated: 10/22/21

25 
26 HON. BARBARA A. MCAULIFFE
27 Unites States Magistrate Judge
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